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CARD

COMMERCIAL AREA REVITALIZATION DISTRICT

SOUTH END | BERKELEY STREET

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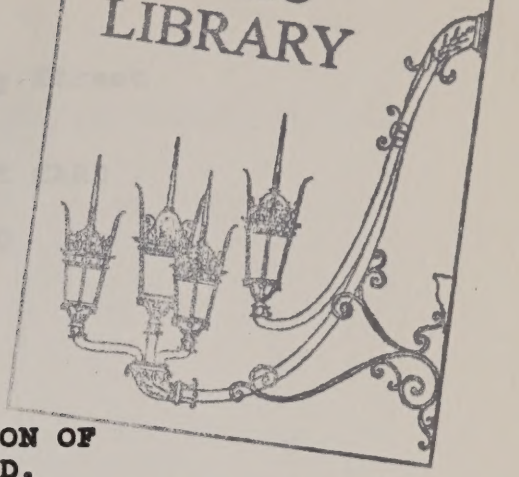

APPLICATION FOR THE DESIGNATION OF THE BERKELEY STREET C.A.R.D.

City of Boston
Raymond L. Flynn, Mayor

Boston Redevelopment Authority
Stephen Coyle, Director

Board Members
Clarence Jones, Chairman
Michael F. Donlan, Co-Vice Chairman
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BERKELEY STREET C.A.R.D. PLAN

1.0: RATIONALE FOR DESIGNATING THE BERKELEY STREET DISTRICT CARD

The Berkeley Street CARD is situated in an area of the city between the Midtown Cultural District, the Theater District/Chinatown CARDs, the Tent City development project, and Back Bay Station and is partly located in the South End Urban Renewal area and the South End National Historic District.

While considerable improvements have been carried out in the area in recent years, its critical location as a major entryway to the South End, scattered vacant lots, and some marginal commercial uses offer opportunities for development and neighborhood improvement. Public actions are required in order to take maximum advantage of these opportunities in concert with active community participation.

The core of the area consists of the partially vacant 260,000 square foot Pledge of Allegiance building which has been struggling to lease-up for several years; three large vacant and under-utilized parcels of land; the Salvation Army Headquarters; the 100,000 square foot 95 Berkeley Street building; the Chandler Inn; and two strips of ground level retail stores along Berkeley Street. The key building in stimulating a revitalization of this area and surrounding retail is the 95 Berkeley Street Building.

The under-utilized land and buildings in the area are the result of economic factors. Inadequate rental income does not permit the expenditure of funds necessary to upgrade the commercial property since the cost of upgrading cannot be amortized by present rent levels. Under-utilized land, vacant buildings, and dead end streets present opportunities for new investment and community improvement.

All of this occurs in an area where the housing stock has improved dramatically over the last several years due to the quality of the buildings and the proximity of this area to Downtown Boston.

PROPOSED COMMERCIAL AREA REVITALIZATION DISTRICT

2.0: PLAN OBJECTIVES OF THE BERKELEY STREET CARD

The Berkeley CARD contains a mixture of commercial uses, largely non-profit in nature. It encompasses retail, parking, some residential (4%), hotel, day care, the Salvation Army, institutional and miscellaneous tax-exempt uses. Approximately 40% of the land is classified as commercial vacant land use. Another 39% is commercial use (see pages 10 & 11). With the exception of limited residential uses, the majority of land use is commercial. The strength of this CARD is ability to encompass tracks of vacant land and buildings which can benefit from this designation. Therefore, it is the overall intention of the Berkeley CARD to address the economic problems within the CARD, but still retain and enhance the physical and commercial qualities of this district to serve the needs of the area's residents.

The overall objectives of this plan are as follows:

1. To encourage the rehabilitation of existing buildings and stimulate occupancy levels in vacant and under-utilized buildings in the CARD area.

2. To stimulate the utilization of vacant or under-utilized lots and as a result better serve the residents of the immediate neighborhood.

3. To provide financing mechanisms whereby existing buildings that are experiencing high vacancy rates and are largely under-utilized can be rehabilitated and upgraded.

4. To encourage new construction on vacant, under-utilized or blighted lots which is consistent with the architectural characteristics of the surrounding area.

5. To connect the edge of the South End community more successfully to the Park Square side of the Massachusetts Turnpike.

6. To provide public improvements that will encourage ground floor retail and pedestrian movement throughout the area.

7. To upgrade the under-utilized areas of the district such as the dead end at the end of Chandler Street and the abandoned pocket park between Chandler Street and Arlington Street, and thus eliminate poor security areas.

8. To encourage a mixture of commercial uses in buildings which serve the neighborhoods needs and are consistent with the commercial character and economic mix of the area.

9. To integrate, in a harmonious fashion, the commercial use with the surrounding community residential uses.

10. To stimulate abutting commercial uses such as the Chandler Inn.

3.0: BOUNDARIES OF THE BERKELEY STREET CARD

3.01 This proposal is aimed at upgrading edges of two neighborhoods located on either side of the Massachusetts Turnpike. Both sides face one another across the Pike, along Berkeley Street which is a major automobile and pedestrian connection between the South End and the Back Bay.

The northwesterly part of the CARD extends to the Boston Police Headquarters and the newly-renovated Salada Tea Building. This area represents the beginning of the healthy business district of the Back Bay. On the southern end, the district extends to Franklin Institute and Police Precinct 4 where major reconstruction has occurred under the South End Urban Renewal project including the Castle Square mixed income housing development.

3.02 The proposed CARD is not within the Central Business District of Boston. It is a transitional commercial node between many development areas including the Back Bay redevelopment area at the Prudential, the South End Redevelopment area, the Midtown Cultural District, the Chinatown/Theatre District CARD, the Financial District, and the Copley Place redevelopment.

3.03 Description of CARD Boundaries

The Berkeley Street CARD encompasses a northern portion of part of the South End neighborhood and a southern portion of part of the Back Bay neighborhood. This primarily commercial district spans the Massachusetts Turnpike and the adjacent train corridor right of way. The Berkeley Street CARD contains 17 structures, primarily of commercial and/or retail use, and 3 vacant commercial under-utilized properties with surface parking and auto storage.

The legal description of the boundaries of the Berkeley Street CARD are:

Beginning at the intersection of the centerline of Stanhope Street and the extended southwesterly property line of parcel numbered 205 Columbus Avenue;

thence turning southeasterly and continuing along the westerly property line of the same said parcel to the intersection of the centerline of Columbus Avenue;

thence continuing along the extended southerly property line of Parcel numbered 218 Columbus Avenue;

thence turning easterly and continuing along the property line of the same said parcel to the easterly sideline of the Berkeley Street right of way;

thence turning southerly and following the Berkeley Street right of way to the intersection of the northern property line of the lot numbered 88 Berkeley Street;

thence turning westerly following the northern property line of the same said parcel to the western property line of parcel 88 Berkeley and Parcel 86 1/2 Berkeley Street;

thence turning southerly and continuing along the western property line of the parcel numbered 86 1/2 Berkeley Street to the intersection of the western face of building;

thence turning southerly and following the western and southern face of the buildings on parcels 84 Berkeley Street, 82 Berkeley Street, and 80 Berkeley Street and the extended property line of parcel numbered 78-76 Berkeley Street to the intersection of the centerline of Chandler Street;

thence continuing to the point of intersection of the extended northern property line of parcel numbered 68-66 Berkeley Street;

thence following the westerly property line of the same said parcel to the centerline of Lawrence Street;

thence turning easterly and following the centerline of Lawrence Street to the point of intersection of the centerline of Berkeley Street;

thence turning southerly and following the centerline of Berkeley Street to the point of intersection of the centerline of Appleton Street;

thence turning easterly and following the centerline of Appleton Street to the point of intersection with the centerline of the alley parallel to Berkeley Street;

thence turning northerly and following the centerline of the same said alley to the point of intersection

with the southern sideline of the right of way of Chandler Street;

thence turning easterly and following the southern sideline of the right of way of Chandler Street to the property line of the parcel of discontinued Chandler Street;

thence turning south following the western boundary of the parcel of land known as discontinued right of way of Chandler Street, further described in the City of Boston Department of Public Works, Engineering Department drawing L10522, and dated January 9, 1978 to the intersection of the northwest sideline of the right of way of Tremont Street;

thence turning northeasterly and following the northwestern sideline of the right of way of Tremont Street to the intersection of the western sideline of the right of way of Arlington Street;

thence turning northerly and following the western sideline of the right of way of Arlington Street to the intersection of the northwestern sideline of the former right of way of Chandler Street;

thence continuing southwesterly along the northwestern sideline of the former right of way of Chandler Street to the intersection of the extended northern property line of the parcel number 95 Berkeley Street;

thence turning westerly and following the northern property line of the same said property to the intersection of the eastern sideline of the right of way of Berkeley Street;

thence turning northerly and following the eastern sideline of the right of way of Berkeley Street to the intersection of the southern property line of the parcel on the corner of Berkeley Street and Isabella Streets numbered 125 Berkeley Street;

thence turning easterly and following the southern property line of the same said parcel to the intersection with the eastern property line;

thence turning northerly and following the eastern property line of the same said parcel to the intersection of the southerly property line of the parcel numbered 40 Isabella Street;

thence turning easterly and following the southern property line of the same said parcel to the intersection of the eastern property line;

thence turning northerly and following the eastern property line of the parcel numbered 40 Isabella, and the extended property line to the intersection of the southern property line of the city-owned parcel at the corner of Columbus Avenue and Isabella Street numbered 198 Columbus Avenue;

thence turning westerly and then northeasterly and following the sidelines of Isabella Street and then Columbus Avenue to the intersection of the extended northeasterly property line of the parcel numbered 187 Columbus Avenue;

thence turning northwesterly and following the northeastern property line of the parcel numbered 187 Columbus Avenue to the intersection of the northwesterly property line;

thence turning southwesterly and following the northwesterly property line of the same said parcel to the intersection of the eastern sideline of the Berkeley Street right of way and further extended to the intersection of the centerline of Stanhope Street as extended;

thence turning southwesterly and following the centerline of Stanhope Street to the point of origin.

3.04 Map: CARD boundaries.

Berkeley Street C.A.R.D.

Boundaries

PROPOSED COMMERCIAL AREA REVITALIZATION DISTRICT

C OFFICE, COMMERCIAL RETAIL

• RESIDENTIAL

r RESIDENTIAL OVER RETAIL

UNDERUTILIZED, VACANT, SURFACE PARKING

E PUBLIC FACILITY INSTITUTIONAL

OPEN SPACE

LIST OF SIGNIFICANT BUILDINGS

1. PLEDGE OF ALLEGIANCE BLDG.
2. SALVATION ARMY HDQTRS. BLDG.
3. FIRE STATION
4. BOSTON HIGH SCHOOL
5. BACK BAY RAILROAD STATION
6. MBTA SERVICE BUILDING
7. NON-PROFIT OFFICE BUILDING
8. CHANDLER INN
9. ANIMAL RESCUE LEAGUE BLDG.
10. ELLIS MEMORIAL
11. BERKELEY HALL
12. Y.W.C.A. BERKELEY RESIDENCE
13. FRANKLIN INSTITUTE
14. POLICE STATION NO. 4
15. CASTLE SQUARE
16. BOSTON CENTER FOR THE ARTS

4.0: LAND USE AND ZONING

The Berkeley Street CARD encompasses approximately 304,844 square feet of land, or approximately 7 acres. Of this total, approximately 134,851 square feet (3.09 acres) are contained in 20 parcels. The remaining 169,993 square feet (3.9 acres) consists of the sidewalks and rights of way associated with all or part of the 9 public ways and open space included in the Berkeley Street CARD (see attached maps and tables on page 10 & 11).

There are a total of 18 structures within the proposed CARD area. Most of the structures are in relatively good condition (72% or 13 structures) while some are in fair condition and could use improvements (28% or 5 structures). Of the 18 structures, 4 are commercial/retail, 4 are residential, and 8 are mixed use, and 2 are other uses. One large commercial structure, the Pledge of Allegiance building on Columbus Avenue has about 20,000 square feet of vacant space.

The various land uses found in the 20 parcels are as follows:

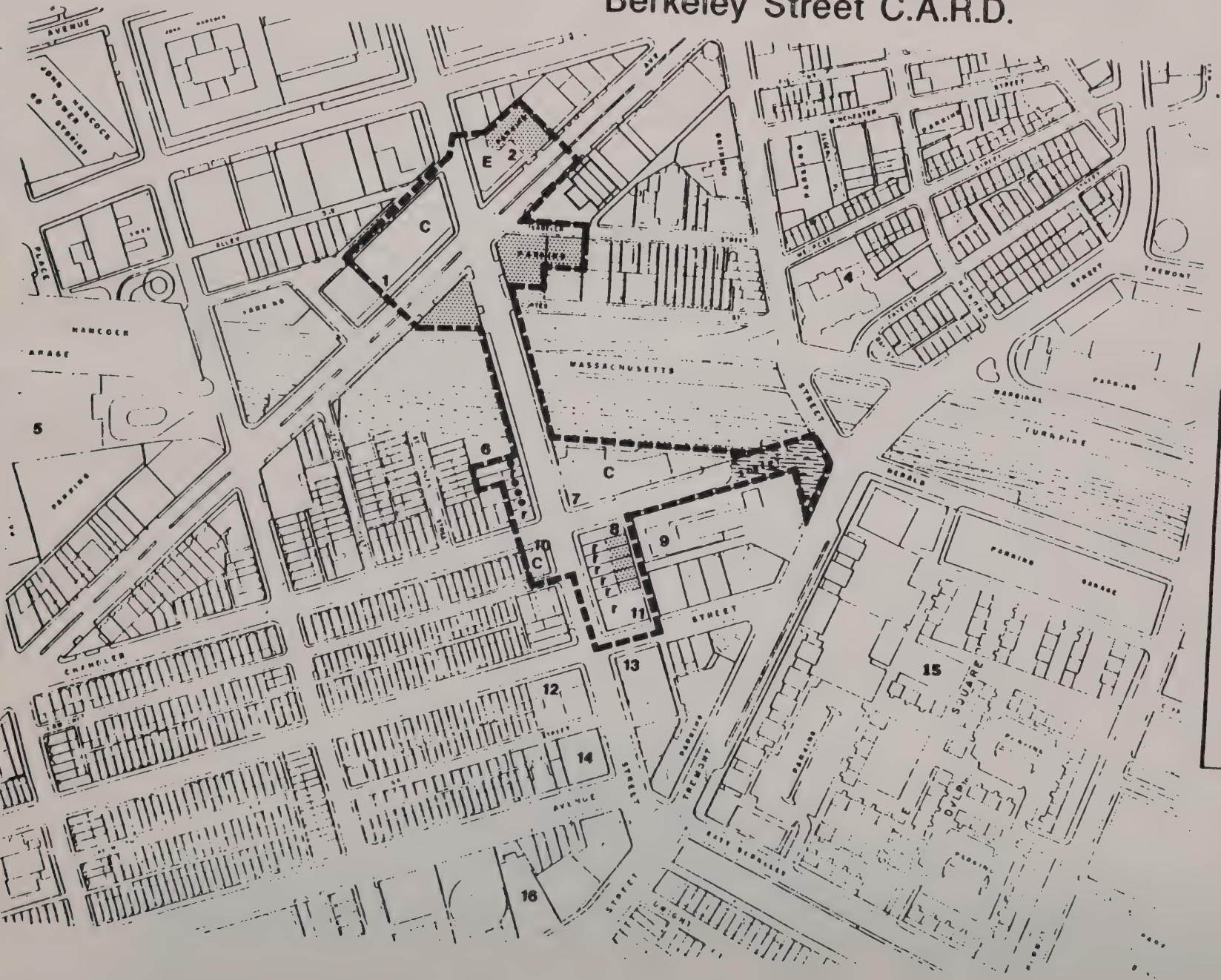
Land Use	Square Feet	% Total Square Feet
Commercial	52,526	39%
Vacant Commercial(1)	54,494	40%
Residential	5,155	04%
Institutional	22,676	17%
Total	**134,851**	**100%**

The land area associated with the sidewalks and rights of way of the streets included in the Berkeley Street Commercial District CARD can be described as follows:

Location	Square Feet
Berkeley Street	76,720
Columbus Avenue	43,512
Stanhope Street	5,040
Chandler Street	25,140
Lawrence Street	768
Appleton Street	3,150
Isabella Street	696
Tot Lot/Discontinued Chandler Street	12,547
Alley	2,240
TOTAL	**169,993**

(1) Vacant commercial designation includes parking lots and auto storage.

Berkeley Street C.A.R.D.



Existing Land Use

- PROPOSED COMMERCIAL AREA REVITALIZATION DISTRICT
- C — OFFICE, COMMERCIAL RETAIL
- • — RESIDENTIAL
- r — RESIDENTIAL OVER RETAIL
- UNDERUTILIZED, VACANT, SURFACE PARKING
- E — PUBLIC FACILITY INSTITUTIONAL
- OPEN SPACE

LIST OF SIGNIFICANT BUILDINGS

1. PLEDGE OF ALLEGIANCE BLDG.
2. SALVATION ARMY HDQTRS. BLDG.
3. FIRE STATION
4. BOSTON HIGH SCHOOL
5. BACK BAY RAILROAD STATION
6. MBTA SERVICE BUILDING
7. NON-PROFIT OFFICE BUILDING
8. CHANDLER INN
9. ANIMAL RESCUE LEAGUE BLDG.
10. ELLIS MEMORIAL
11. BERKELEY HALL
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13. FRANKLIN INSTITUTE
14. POLICE STATION NO. 4
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16. BOSTON CENTER FOR THE ARTS

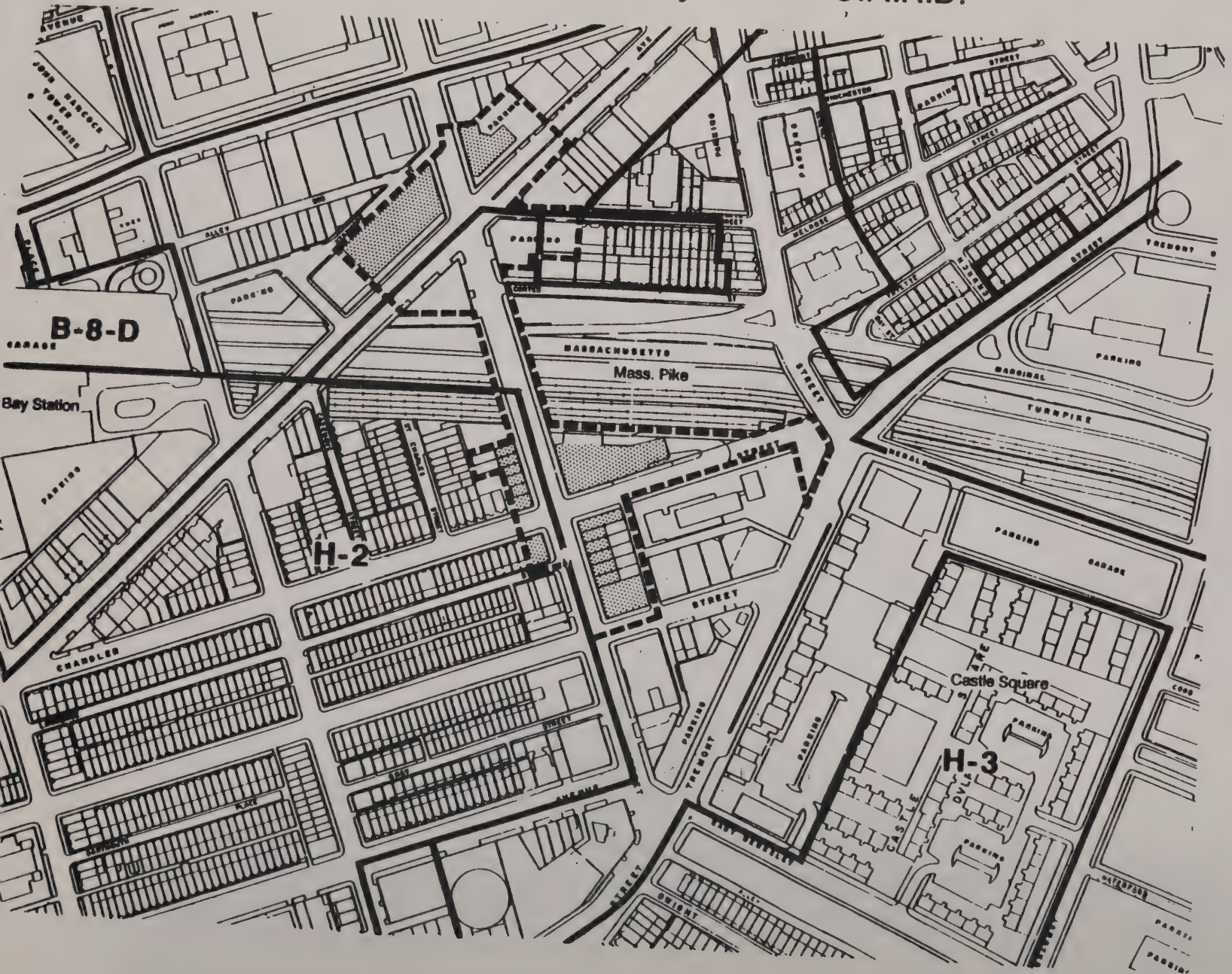
The Berkeley Street Commercial District encompasses part of three zoning districts. It includes part of two general business districts, a B-8 district and a B-4 district and a residential district, H-2.

The B-8 zone district within the Berkeley Street CARD encompasses two commercial structures, containing offices, restaurants and retail uses. The B-4 district within the Berkeley Street CARD encompasses two vacant commercial parcels, two commercial structures and 6 mixed-use commercial and residential structures. The H-2 district within the CARD encompasses one commercial structure, 4 mixed-use commercial and residential structures and two residential structures. The H-2 east of Berkeley Street, which is numbered lot 40 Isabella, is a vacant commercial use (see attached zoning map). No zoning or land use changes are needed for this CARD.

All of the above land uses are allowed in a B-8, B-4 or H-2 district under the Boston Zoning Code (see Appendix A).

There are few mixed use buildings other than those on Berkeley Street that have ground floor retail and upper level housing. Since the primary project benefit to these commercial establishments is a spin-off from the main redevelopment activities, the mixed-use of these buildings will have no impact on the CARD strategy.

Berkeley Street C.A.R.D.



Zoning

PROPOSED COMMERCIAL AREA REVITALIZATION DISTRICT

4.1: PROPERTY OWNERSHIP AND LAND USE (1988 DATA SOURCES)

Street Address	Ward Parcel Sub	Sec Lot	Land Area	Owner	Cls	Use
205 Columbus Pledge of Allegiance Bldg.	04-1146	215	26,841	Frank Sawyer	C	Office/ Commercial
218-210 Columbus National Car Rental Lot	05-1072		11,224	Austin L. Rounds 52 Butters Rd. Wilmington, 01887	C	Vacant comm. Auto Storage
147 Berkeley Salvation Army Headquarters			19,676	Salvation Army	E	Offices/ Parking
125 Berkeley Parking Lot	05-1100		10,904	65 Bedford St. Trust 10 Gainsboro St., Boston MA	C	Vacant Comm. Parking
40 Isabella St. Comm. Parking Lot	05-1111		5,474	Payette Assoc. 25 Cortes St. Boston, 02116		Vacant Parking
93-95 Berkeley			26,892	GBCD, Inc. 79 Milk St. Boston, 02109	E	Non-profit, Commercial
88 Berkeley	05-1005		2,405	Wong, Ping Tserk	R4	Residential
86 1/2 Berkeley			2,415			Residential/ Commercial (Barber Shop)
84 Berkeley			990	Stoney End Condo	CM	Residential
82 Berkeley			990			Residential
80 Berkeley			770			Residential

78-76 Berkeley			1,740			Residential/ Commercial (Cleaners)
26 Chandler Chandler Inn Hotel	05-704	32	2,496	Keith Gordon Trust	C	Hotel/Res. Restaurant
75-73 Berkeley	05-702		2,091	Toy, Wing Ark		Retail/ Residential Upper Levels
71-69 Berkeley			2,486			Retail/ Residential Upper Levels
66 Berkeley Ellis Memorial and Eldredge Day Care Center			3,000		E	Day Care
67-65 Berkeley			2,490			Retail/ Residential Upper Levels
63-61 Berkeley			2,490			Retail/ Residential Upper Levels
59-57 Berkeley			2,290			Retail/ Residential Upper Levels
53 Berkeley Berkeley Hall Residences			7,187			Retail/ Upper Level 34 Condos
TOTAL NUMBER OF LEGAL LOTS			**20**			
TOTAL LAND AREA IN LEGAL LOTS			**134,851 S.F.**			
TOTAL ACRES			**3.0958 acres**			

4.2 SUMMARY TABLES - LAND AREA AND LAND USE

TOTAL LAND USE IN THE 20 LEGAL LOTS	SQUARE FEET	$ OF TOTAL
COMMERCIAL:	52,526	39%
VACANT COMMERCIAL:	54,494	40%
RESIDENTIAL:	5,155	4%
INSTITUTIONAL/TAX EXEMPT:	22,676	17%
	134,851	100%

LAND AREA IN SIDEWALKS AND RIGHTS OF WAY

STREET	SQUARE FEET
BERKELEY STREET	76,720
COLUMBUS AVENUE	43,512
STANHOPE STREET	5,040
CHANDLER STREET	25,140
LAWRENCE STREET	768
APPLETON STREET	3,150
ISABELLA STREET	696
TOT LOT/DISCONTINUED CHANDLER STREET	12,547
ALLEY	2,420
TOTAL:	169,993 SF
	3.90 ACRES

TOTAL CARD AREA

LAND AREA IN 20 LEGAL LOTS	134,851 SF
LAND AREA IN SIDEWALKS AND RIGHT OF WAY	169,993 SF
TOTAL:	**304,844**
	7 ACRES

5.0: PLAN STRATEGY

5.1 Public Improvements and Facilities

A. Traffic Circulation. The city is presently studying the possibility of extending Herald Street across the Massachusetts Turnpike and over to Columbus Avenue. A schematic plan of the extension is included on the Map of Planned Improvements. This extension would alleviate traffic generated by the Southeast Expressway and the Third Harbor Tunnel project and decrease the impact of traffic on the neighborhood. It will also close up a large part of the dead space over the Massachusetts Turnpike, and further the redevelopment between the two parts of the CARD district. An estimated timetable for the project, assuming all necessary approvals are obtained, is to have engineering completed by the end of 1991, with construction beginning in 1992 or 1993. Construction is estimated to take two to three years.

A new set of Turnpike on/off ramps is being studied in conjunction with Herald Street. A new westbound off-ramp would replace the existing Arlington Street on-ramp and go from the Massachusetts Turnpike to Berkeley Street within the proposed CARD area. A new eastbound on-ramp would be constructed to the Turnpike from the intersection of Arlington, Herald and Tremont Streets.

A pedestrian traffic improvement would be the opening for public use of the Berkeley Street emergency access to Back Bay Station. It would appear that permanent access could be established at this location which would permit a continuous protected walkway to Back Bay Station. This access point would increase pedestrian traffic on Berkeley Street and permit a short-end route to this major transportation node from the areas around the Berkeley Street CARD.

B. Provision of Off-Street Parking. The renovation of 95 Berkeley Street includes the construction of 36 off-street parking spaces. These spaces are used by the building occupants during the day and are available to neighborhood residents in the evenings and on weekends. In meetings with the Ellis Neighborhood Association, off-street parking was considered a major priority.

C. Utilities. Although no major new utility work will be constructed, a new network transformer will be installed at 95 Berkeley Street. The South End has experienced serious power shortages and the new network transformer will be designed to pick up power loads from adjoining properties should they suffer power failure.

D. Streetscaping, Pedestrian Malls, Parks and Plazas. The sidewalk on Berkeley Street and Chandler Street has been restored and a new sidewalk section built on the Chandler Street side of 95 Berkeley Street. Security lighting has been installed and trees planted.

The pocket park between the end of Chandler Street at Arlington Street is poorly designed with no operable security lighting, no maintained plantings and neglected play equipment. This pocket park is within the discontinued right-of-way of Chandler Street. It was built by the MBTA as part of their improvements on the Orange Line. It appears possible to redesign and reconstruct the small park for a modest investment by eliminating the unused play equipment, repairing the lighting, changing the benches and replanting the park. The 95 Berkeley Street development is committed to assist in the daily maintenance of this area.

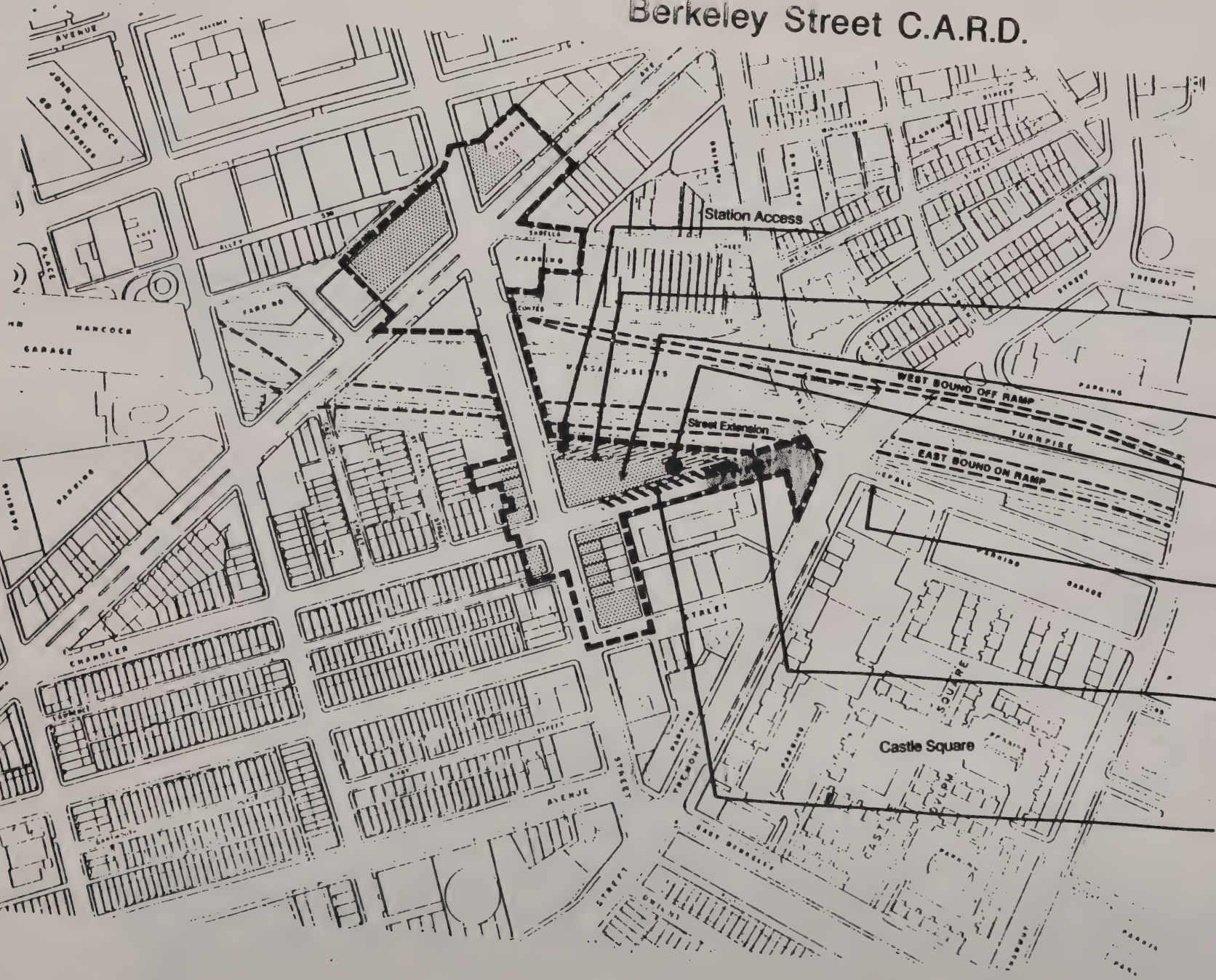
Most of the other sidewalks and open areas in the CARD are in reasonably serviceable condition.

The owner of 95 Berkeley Street will receive permission from the MBTA to plant and maintain landscaping between the 95 Berkeley Street building and the railroad right-of-way from Berkeley Street to the intersection of the railroad right-of-way with Chandler Street. This strip is neglected and littered with debris and is an eyesore in the middle of the proposed CARD.

E. Map of Planned Improvements. Attached.

5.2 Use of Public Incentives. The key to revitalization of the CARD area has been to complete the renovation and occupancy of 95 Berkeley Street. This structure is a 100,000 square foot building in the middle of the CARD District. Renovation of this vacant structure has had a major beneficial impact on the abutting CARD area and the adjacent residential neighborhood. The building is occupied by non-profit agencies and the renovation is being financed by several construction loans. In order to complete the renovation and occupancy targets, it is necessary to secure permanent financing to retire the construction debts. The CARD designation offers key financial advantages in achieving these goals. Since this

Berkeley Street C.A.R.D.



Public Improvements

PROPOSED COMMERCIAL AREA REVITALIZATION DISTRICT

LANDSCAPING IN MBTA RIGHT-OF-WAY:

Upgrading and improving existing overgrown and poorly maintained right of way along the visually significant Mass. Turnpike. The currently abandoned area will be cleaned, landscaped and fenced to screen views and provide security.

OFF STREET PARKING:

38 new spaces created, with access for neighborhood residents in the evening hours.

AREA-WIDE NETWORK TRANSFORMER:

The new transformer and vault serving the entire area will be an upgrade to the neighborhood electrical system in conjunction with Boston Edison's overall program of improvements.

HERALD ST. EXTENSION/RAMPS

The Transportation Department has proposed extending Herald Street to Clarendon Street and building a pair of turnpike ramps to provide access from the Back Bay to the expressway. This would eliminate traffic cutting through the South End to get to the expressway.

EXISTING TOT LOT:

The use patterns of the existing open space lot should be evaluated. The design and configuration can be refined to better serve the needs of area residents. This facility needs maintenance, such as lighting and landscaping, and urban design improvements to allow it to function as a high quality tot lot for the day care centers in the area.

STREETSCAPE IMPROVEMENTS:

New brick sidewalk and street trees to match the existing South End improvements will complete the streetscape along Chandler Street, linking the existing pedestrian areas along Berkeley Street to the open space at Arlington Square.

project is seen as the key project for the CARD the following local, state and federal development incentives will be used.

A wide range of public incentives were built into the project including a loan guarantee from the Massachusetts Thrift Fund for $3.7 million; a $5 million loan from the City of Boston Public Facilities Department of CDBG BUILD funds; a $250,000 loan from the Massachusetts Community Development Finance Corporation; and a commitment from Massachusetts Industrial Finance Agency (MIFA) to work with the developer of 95 Berkeley Street to float a $13 million tax exempt bond for permanent financing. The total of the federal, state and local resources is $21,650,000.

In addition, several programs exist which target resources to commercial districts for which eligible projects could apply. These include the Neighborhood Development Bank which offers below-market rate financing to commercial, residential, and mixed-use projects in designated commercial districts primarily for building rehabilitation and facade improvements. Developments outside the designated districts are considered for funding subject to meeting additional public benefit criteria; the Loans to Encourage Neighborhood Development (LEND) Program, a gap financing source which provides low-interest (5% to 8%) loans to eligible residential, commercial, industrial, and mixed-use projects; the Neighborhood Development Fund, a fund in which repayments of federal Urban Development Action Grant and Housing Development Action Grant loans are deposited and then reloaned to finance residential, commercial, industrial, and mixed-use projects, and the BUILD program which provides construction financing at below-market interest rates for major residential, commercial, mixed-use or industrial development projects with significant public benefits.

5.3 Character of Development/Redevelopment. The major opportunities for future development include securing the permanent financing necessary for the renovation and restoration of the 100,000 square foot 95 Berkeley Street building, renovation and upgrading of the Chandler Inn, commercial development of the two underutilized lots located at Berkeley Street and Columbus Avenue, upgrading of the Pledge of Allegiance Building and upgrading of the ground level retail establishments along Berkeley Street.

The sequence of development has begun with the renovation and upgrading of 95 Berkeley Street which has had a positive impact on the adjoining Chandler Inn and the ground floor retail on Berkeley Street. The restoration

of this building upgrades the quality of the area, increases security, upgrades public open areas, and brings over 600 new people to the area. The development of the Columbus Avenue/Berkeley Street lots might follow the 95 Berkeley Street upgrade and the reconfigurration of Herald Street. The proposed construction of the Herald Street extension will cover a portion of the Massachusetts Turnpike and give these lots, particularly the westerly lot, exposure on two major traffic carriers.

As the area across from the Pledge of Allegiance Building is upgraded the potential of increased rents would complete the major interior upgrading of this building. New construction on the Berkeley/Columbus lots would permit the creation of several new retail establishments, thus further reinforcing retail strength along Berkeley Street and the connection of these two areas currently separated by the Massachusetts Turnpike.

New marketing techniques are not a necessary component of this plan since the overall strategy rests on bringing commercial property back into productive use. The redevelopment effort will bring many more people to the area than will new marketing techniques.

No public land acquisition, clearance and/or disposition is planned or will be needed to implement the Berkeley CARD.

5.4 Local Financial Commitment. The City of Boston has committed a $5 million loan through the Public Facilities Department. The State has committed a loan guarantee from the Massachusetts Thrift Fund for $3.5 million, and an offer of $250,000 loan from the Massachusetts Community Development Finance Corporation. Finally Massachusetts Industrial Finance Agency (MIFA) is committed to work with the developer of 95 Berkeley Street to float a $13 million tax exempt bond for permanent financing. The total of the federal, state and local resources is $21,450,000.

5.5 Private Sector Investment. Funds have been procured from a variety of different sources. This project has received a $12.2 million dollar construction loan from the City Savings Bank in New Jersey and $250,000 from LISC (Local Initiative Support Corporation) for construction purposes. Additionally, over $600,000 has been raised from Foundations including, the Boston Foundation, Hyams Trust, Shawmut Foundation, Globe Foundation, State Street Bank Foundation, Riley Foundation, Bank of Boston Charitable Trust, Bank of New England Charitable Trust, and Raytheon Company. Finally, over $1 million has been invested by Community Builders. The total amount raised from private

funds, foundations and project resources is approximately $14,035,640.

5.6 Compatibility of This Plan With Downtown Development. This plan complements downtown district planning efforts undertaken pursuant to Article 27D of the Boston Zoning Code, the Midtown Cultural District Plan and Zoning (Article 38).

5.7 Land Use/Design Controls. A portion of the CARD is located in the South End Landmarks District and as such is subject to Boston Landmarks Commission review. Because of the use of federal and state financial incentives, 95 Berkeley Street was also subject to Massachusetts Historic Commission and 106 Reviews.

More restrictive land use and design controls, other than the present Boston Zoning Code and the project submission and certification procedures outlined in Section 7.0 and 8.0 of this Plan, will not be needed to implement the Berkeley Street CARD Plan.

The entire CARD is zoned either H-2, B4 or B8, which are general or mixed use. All of the commercial uses that are presently in the CARD or could move into the CARD, are allowed uses under the present Boston Zoning Code.

The BRA also requires that any developer in a CARD receive written certification from the Director of the BRA that the project proposed for the CARD area is:

A. Located within the boundaries of the appropriate CARD, and

B. Meets the objectives of the appropriate CARD plan.

In order to secure this certification, the developer must submit architectural and financial information to the Director of the BRA for design review and approval.

6.0: FINDING OF CONFORMANCE WITH OTHER LOCAL PLANS

6.1 The Berkeley Street CARD plan is in conformance with the 1965-1975 General Plan for the City of Boston as published by the Boston Redevelopment Authority in 1965.

The CARD is partly located within the boundaries of the South End Urban Renewal Plan, Mass. R-56, as approved by the City Council and the U. S. Department of Housing and Urban Development (HUD). Development projects proposed within part of this CARD are subject to the land use and design controls of the South End Urban Renewal Plan. The goals and objectives of the Berkeley Street CARD Plan are consistent with the South End Urban Renewal Plan.

The CARD complements district planning efforts undertaken pursuant to Article 27D of the Boston Zoning Code and the Midtown Cultural District Plan and Zoning (Article 38).

In addition, comprehensive master planning for the South End, including the CARD area, was recently initiated. The Mayor has appointed a 28-member working group of area residents to assist the Boston Redevelopment Authority in community-based planning efforts which will result in a South End Development Policy Plan. The production of this Plan is expected to take approximately one year and will be the basis for future planning and development initiatives.

7.0: BUSINESS & COMMUNITY PARTICIPATION PROVISIONS

7.1 Community Participation. In May 1989, the BRA and the Mayor's Office of Neighborhood Services convened a meeting with the Ellis Neighborhood Association. The Association supports the designation of this area as a CARD district. In addition, since May 1988, the developer of 95 Berkeley Street has met twice with the Ellis Neighborhood Association and twice with the architectural subcommittee of the neighborhood to discuss plans to upgrade and renovate this vacant building.

The city will continue these discussions with the Ellis Neighborhood Association around these issues and other issues affecting the CARD proposal.

On March 14, 1990, the BRA staff met with and provided the 28 member South End Working Group, at their regular meeting, an updated presentation of the Berkeley CARD process. The Working Group is comprised of representatives from nearly all neighborhood associations in the South End as well as from other local agencies and interest groups. The minutes of this meeting, as well as a listing of the membership and participants of the Working Group, are included in Appendix B of this application.

7.2 Business Community Participation in Review of CARD Proposals, in the Berkeley Street CARD Plan. In order to be eligible for any present or future development incentives that would otherwise not be available, except in a commercial area revitalization district, any developer of a proposed project in the Berkeley Street CARD must secure written certification from the Director of the Boston Redevelopment Authority that the proposed project is:

A. Located within the boundaries of the Berkeley Street CARD; and

B. Conforms with the objectives of the Berkeley Street CARD Plan.

Before granting the above certification, the BRA requires the submission of certain project-related information for design review and approval. The nature and type of this required project-related information is outlined in Section 8.0 of the Berkeley Street CARD Plan.

As part of the review process, the Director of the BRA may appoint a committee of civic leaders and businessmen from the Berkeley Street CARD area to review and comment on all projects seeking CARD-related development incentives.

The BRA shall transmit to this review committee sufficient architectural information to describe the overall design, size, scope and nature of the proposed project. The review committee will then be allowed a maximum of 14 days to review and comment on the proposed project.

The comments and advise of the review committee will then be submitted to the Director of the BRA for review and consideration prior to the granting of CARD certification for the proposed project.

In addition, the BRA may, at its discretion, review the design, scope, and the nature of the proposed project with other concerned citizen and business groups.

Any application for mortgage insurance or tax exempt revenue bonds through the Massachusetts Industrial Finance Agency must be approved at a regularly schedule public meeting of MIFA. MIFA will provide public notice by means of newspaper announcement to publicize a hearing that will be held to solicit comments on the issuance of tax exempt bond.

8.0: PROJECT CERTIFICATION AND SUBMISSION REQUIREMENTS

In order to be eligible for any present or future development incentives that would not otherwise be available except in the Commercial Area Revitalization District, any developer of a proposed project in the Berkeley Street CARD must secure written certification from the Director of the Boston Redevelopment Authority that the proposed project:

A. is located within the boundaries of the approved Berkeley Street CARD, and

B. that the proposed development project is in conformance with the objectives of the Berkeley Street CARD Plan.

In order to insure that a proposed development project in the CARD meets the above project certification criteria, the developer of the proposed project shall submit the following materials to the Director of the Boston Redevelopment Authority for design review and project approval.

A. Sufficient 8"x10" glossy photographs of the project area to describe the existing conditions on the proposed project site including the interior and principal facades of any building(s) to be rehabilitated.

B. Site plans showing the project area and the approximate location of structures and facilities to be constructed.

C. Drawings showing the buildings and other improvements to be constructed in a form adequate to show the nature and extent of the project, including elevations, floor plans, and elevations of the surrounding area.

D. Outline specifications showing generally the character and quality of the construction to be employed.

E. A statement of all permissions which will be required for the project to deviate from zoning, building, health and fire laws, codes, ordinances and regulations in effect in Boston.

    1. A statement of the deviations required from the State Building Code including the anticipated date said deviations will be approved.

    2. If deviations are required from the Boston Zoning Code, the request shall have a comparison of what the Code requires and what the project will provide.

F. A description of which improvements to be constructed as part of the proposed project will be financed by the owner

or developer of the project and any improvements to be constructed will be financed by proposed tenants as leasehold improvements.

G. A pro forma financial statement showing the developer's ability to carry out the proposed project.

9.0: DESCRIPTION OF THE IMPLEMENTING AGENCY

The implementing agency for the Berkeley Street CARD is the Boston Redevelopment Authority.

The BRA has been both the planning and urban renewal agency for the City of Boston since 1960.

The BRA was established in August, 1957 at the request of the Mayor and City Council and carries out urban renewal programs in accordance with Chapter 121B of the Massachusetts General Laws. It received its Certificate of Organization from the Secretary of the Commonwealth on October 4, 1957.

The planning function was assumed in 1960 when the City Planning Board was abolished and its staff transferred to the BRA.

The BRA is also the designated city agency responsible for the review and approval of all 121A Applications within the City of Boston. Chapter 652 of the Acts of 1960 gives the BRA the power to approve applications for the formation of non-profits, limited dividend or cooperative entities under Chapter 121A, Section 13 of Massachusetts General Laws for the purpose of redevelopment within the city.

In addition, the Authority reviews and makes recommendations on all cases before the Boston Zoning Board of Appeal and must review and approve all development plans for Planned Development Area under the Boston Zoning Code.

In order to carry out these various functions, the Authority maintains a permanent staff in several departments and disciplines that are directly related to the review and implementation of the Berkeley Street CARD.

These departments and disciplines include urban design, landscape, architecture, comprehensive planning, neighborhood planning, environmental review, preservation planning, legal, engineering, real estate and research.

APPENDIX A:

Boston Zoning Code

Article 3

ARTICLE 3

ESTABLISHMENT OF ZONING DISTRICTS

‡SECTION 3-1. **Division of City into Districts.** For the purposes of this code the City is hereby divided into districts as follows: three classes of residential districts: S (single family), R (general), and H (apartment); two classes of business districts: L (local) and B (general); and three classes of industrial districts: M (restricted manufacturing), I (general) and W (waterfront); each of which is further subdivided into subdistricts identified by a number which represents maximum allowed floor area ratio and some of which have a second number which represents a height limit, as follows:

(a) Residential Districts

S-.3 S-.5	Single Family
R-.5 R-.8	General
H-1-40 H-1-50 H-1 H-2-45 H-2-65 H-2 H-3-65 H-3 H-4 H-5	Apartment

(b) Business Districts

L-.5 L-1 L-2-65 L-2	Local
B-1 B-2 B-3-65 B-4 B-8-120 B-8 B-10-155 B-10	General

(c) Industrial Districts

M-1 M-2 M-4 M-8	Restricted Manufacturing
I-2	General Industrial
W-2	Waterfront Industrial

The boundaries of these districts are hereby originally established as shown on a series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, on file in the office of the City Clerk, which maps, with all explanatory matter thereon, and all maps which, by amendment of this code, may be substituted therefor or made supplemental thereto shall be deemed to be, and are hereby made, a part of this code.

(‡As amended on February 17, 1971, March 20 and May 26, 1972, July 9 and September 27, 1973, October 22, 1974, February 28, 1979, October 31, 1980, and June 16, 1982)

‡SECTION 3-1A. **Special Purpose Overlay Districts.** A subdistrict or part thereof or a contiguous group of subdistricts or parts thereof may be designated as a special purpose overlay district as follows: (a) planned development area (distinguished by the addition of the letter "D" to the designation of the subdistrict or subdistricts); (b) urban renewal area (distinguished by the addition of the letter "U" to the designation of the subdistrict or subdistricts); (c) adult entertainment district (distinguished by the addition of the letter "E" to the designation of the subdistrict or subdistricts); (d) restricted and limited parking districts; (e) flood hazard district; (f) institutional district; (g) restricted roof structure district (distinguished by the addition of an asterisk or small circle to the designation of the subdistrict or subdistricts; or (h) interim planning overlay district. In an overlay district the regulations specified for the base subdistrict or subdistricts shall apply, insofar as they are not in conflict with special regulations specified for a particular overlay district.

(‡This section, inserted March 24, 1977, incorporates districts formerly described in Section 3-1. The first paragraph was subsequently amended on June 8, 1977, August 20, 1981, December 30, 1983, and November 23, 1984.)

‡a. **Planned Development Areas.** The whole or any part of a subdistrict may be established as a planned development area if such area contains not less than one acre and the commission has received from the Boston Redevelopment Authority, and has approved, a development plan or, if the area contains not less than five acres and is not located in a residential zoning district, a master plan for the development of the planned development area. Before transmittal to the commission, such development plan or master plan shall have been approved by said Authority after a public hearing, provided, however, that no development plan or master plan shall be approved by said Authority unless said

Authority finds that such plan conforms to the general plan for the city as a whole and that nothing in such plan will be injurious to the neighborhood or otherwise detrimental to the public welfare. A development plan shall set forth the proposed location and appearance of structures, open spaces and landscaping, proposed uses of the area, densities, proposed traffic circulation, parking and loading facilities, access to public transportation, proposed dimensions of structures, and may include proposed building elevations, schematic layout drawings and exterior building materials, and such other matters as said Authority deems appropriate to its consideration of the proposed development of the area.

If the area contains not less than 5 acres and is not located in a residential zoning district, a master plan may be submitted setting forth only a statement of the development concept, including the planning objectives and character of the development, the proposed uses of the area, the range of dimensional requirements contemplated for each of the proposed uses, the proposed phasing of construction of the development and such of the other items set forth above as said Authority may request in order to make its required finding. No work shall proceed in any planned development area established by the commission on the basis of an approved master plan until a development plan for the area, or portion thereof in which work is to proceed, conforming to the foregoing requirements has been approved by the Authority and the commission, in each case after a public hearing.

To insure that no work proceeds other than in accordance with an approved development plan, no structure shall be erected, reconstructed, or structurally changed or extended in a planned development area, whether or not a master plan has been approved for such area, unless all drawings and specifications therefor shall have been subjected to design review and approved by said Authority. The Building Commissioner shall not issue any building or use permit with respect to any building, structure, or land within a planned development area unless the Director of said Authority has certified on the application therefor and on each and every plan filed with the Building Commissioner in connection therewith that the same is consistent with the development plan for such planned development area or the portion thereof to which said permit relates. Except as otherwise provided in Article 6[illegible] planned development areas shall be subject to all the provisions of this code applicable to the subdistrict in which the area is located.

(‡As inserted on July 2, 1968, and amended on December 29, 1982)

‡**b. Urban Renewal Areas.** Upon application from the Boston Redevelopment Authority, the whole or any part of a subdistrict may be established as an urban renewal area if all land within such urban renewal area is the site of or for a low rent housing project, or a housing project for elderly persons of low income, or consists solely of land, including land under water, with respect to which an agreement has been entered into with said Authority establishing use and dimensional controls as specified in a land assembly and redevelopment, or urban renewal plan, as defined in Chapter 121 of the General Laws. Section 13-1 (except the maximum floor area ratio specified in Table B thereof), Sections 13-2 and 13-4, and Articles 14, 16, 17, 18, 19, 20, 21, and 22 shall not apply to urban renewal areas; but except as otherwise provided in Article 6A, urban renewal areas shall be subject to all other provisions of this code applicable to the subdistrict in which the area is located.

(‡As inserted on September 7, 1967, and amended on July 2, 1968, and November 23, 1984)

‡**c. Restricted and Limited Parking Districts.** In a restricted parking district, off-street parking facilities, including parking lots, parking garages, and parking accessory or ancillary to any use other than Use Items numbered 1 through 15, shall be conditional uses which may be granted only in conformance with the provisions of Section 6-3A as well as Sections 6-2, 6-3 and 6-4.

(‡As inserted on September 27, 1973, and amended on December 30, 1983, and November 23, 1984)

‡In a limited parking district, Use Item Nos. 58 and 59, parking lot and parking garage, shall be forbidden uses. (Note: These restrictions are not applicable to land of agencies or authorities of the Commonwealth of Massachusetts or the United States of America that are not subject to municipal zoning.)

(‡As inserted on December 30, 1983)

‡**d. Adult Entertainment District.** An adult entertainment district is an overlay district in which Use Items No. 34A and 38A (adult books and adult entertainment) are allowed, and in which the prohibition of moving or flashing signs in Section 11-2 does not apply.

(‡As inserted on November 27, 1974, and amended on November 23, 1984)

‡e. **Flood Hazard Districts.** The location of and regulations for flood hazard districts are set forth in Article 25 of this code.

(‡As inserted on March 24, 1977)

‡f. **Institutional District.** Notwithstanding the provisions of Table A of Section 8-7, in an institutional district the following uses are conditional uses in instances where they would otherwise be allowed under said Table A: any use listed under Use Item No. 16, 17, 20, 22A, 28, 29, or 30. Use Item No 72, accessory parking, shall be a conditional use if the main use to which it is accessory is in existence at the time that new or additional parking spaces are applied for and if such main use is a use listed under Use Item No. 11, 12, 13, 13A, 14, 16, 16A, 17, 18, 19, 20, 22A, 28, 29, or 30.

(‡As inserted on June 8, 1977)

‡g. **Restricted Roof Structure District.** All or part of a subdistrict that is characterized by groups of residential buildings with identical or similar heights within such groups may be designated as a restricted roof structure district, the regulations for which are set forth in Section 16-8.

(‡As inserted on August 20, 1981)

‡h. **Interim Planning Overlay District.** A district or group of districts or a subdistrict or group of subdistricts or parts thereof (hereafter referred to as an area) may be established as an interim planning overlay district when it is determined by the Zoning Commission that: (1) the existing zoning is thought to be inappropriate; (2) a rezoning of the area is anticipated; (3) a comprehensive planning study preceding the anticipated rezoning is needed; and (4) interim land use regulations are essential to maintain the status quo in the area and prevent introduction of changes to the area which may be incompatible with the goals of the comprehensive planning study or anticipated rezoning. The regulations governing the interim planning overlay district are set forth in Article 27.

(‡As inserted on November 23, 1984)

SECTION 3-2. **Interpretation of District Boundaries.** Where a district boundary is indicated on a map constituting part of this code as approximately following, or parallel to, the center line or side line of a street, highway, railroad right-of-way, or water course, such boundary shall be construed as following, or as being parallel to, such center line or side line. Where a district boundary is indicated on such a map as approximately following a lot line, such line shall be construed to be said boundary. If no distance is indicated on such a map for a district boundary running parallel to the center line or side line of a street or highway, such dimension shall be assumed to be one hundred feet from such line or, if as determined by the use of the scale shown on such map it is at least twenty feet more, or twenty feet less, than one hundred feet, it shall be as so scaled.

ARTICLE 4

APPLICATION OF REGULATIONS

SECTION 4-1. **Conformity of Buildings and Land.** Except as provided in Chapter 665 of the Acts of 1956 as now in force or hereafter amended or in this code, no structure or land shall be used or occupied, and no structure or part thereof shall be erected, reconstructed, extended, or altered except in conformity with the regulations specified in this code for the district in which it is located; provided, however, that nothing in this code shall prevent the strengthening or restoring to a safe condition of any portion of a structure declared unsafe by the Building Commissioner or any other board or officer authorized by law to do so.

SECTION 4-2. **Structure or Use Approved Prior to Effective Date of Code.** Nothing herein contained shall affect any structure or use for which a building or use permit is lawfully issued prior to the effective date of this code; provided, that construction work under such building permit, or occupancy under such use permit, is commenced within six months of the date of such permit and proceeds in good faith continuously so far as is reasonably practical under the circumstances; and provided further that all construction work is completed within two years from the effective date of this code and in accordance with the building permit as in effect on said effective date.

APPENDIX B:

Evidence of Public Meetings & Hearings

Resolution of Local Governing Body with Recording Officers Certification

Opinion of Local Council

Mayor's Office of
NEIGHBORHOOD SERVICES
Don Gillis
Director
Room 709A, One City Hall Plaza
Boston, MA 02201
617-725-3485

TO: Attendance May 9, 1989

FROM: CALD - ONS & BRA.

DATE: 95 Berkeley St

Name	Address	Telephone #
Kaley Cronin	16 Gray St	725-3485
JIM DEITZER	12 DARTMOUTH PLACE	536-3692
Ken Gritter	52 Chandler St.	542-4891
Mike Berger	89 Worcester	262-2929
Toby Kartolinsky	1 Beacon St.	725-2212
Ann Burlichi	SBCD 79 Milk St	482-6553
Jeff Sheldon	84 Berkeley St	426-2347
Linda Sheldon	84 Berkeley St	426-2347
Jimmy Settinelli	U.Cal	722-400
Jorita Jackson	ONS	725-3485
Dominic Bianco	58 Berkeley St	423-1335
Willie F. Hawes	81 Clinton Terrace St	536-0927
Gilbert Gilmore	32 Milford	482 0718

SOUTH END DEVELOPMENT POLICY

South End Development Policy Working Group

Marianne Abrams
Conrad Agneta
Deborah Backus
Jane Brayton
Chris Brayton
Janet Bryan
Patrick Cusick
James Davis
Daniel DeSantis
Michael Duffy
Geneva Evans
Rita Gallo
Dinorah Hernandez
Arthur Howe
Betsy Johnson
Alice Kalil
Angel Medina
Frances Moore
James O'Donnell
Joseph Park
David Parker
Fernando Requena
Byron Rushing
Beverly Van Landingham
Marcia Wiley
James Williams
Paul Yelder
Samuel Yin

Boston Redevelopment Authority
South End Development Policy Staff

Thomas O'Malley
Assistant Director
Neighborhood Housing and Development

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21. Mr. David Parker
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TEL: 267-4075

22. Mr. L. Fernando Requena
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23. Mr. Byron Rushing
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25. Mr. James Williams
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TEL: 725-3562

26. Mr. Paul Yelder
36 Worcester Street
Boston, MA 02118
TEL: 267-7250

27. Dr. Samuel Yin
495 California Avenue
Unit #3
Boston, MA 02118
TEL: 424-1393

The South End Development Policy Planning Process
"Working Group" Meeting

March 14, 1990

An open meeting of the South End Development Policy Planning Working Group was called to order at 7:12 p.m. on Wednesday, February 28, 1990, at the Harriet Tubman House ,in the Lincoln House Room, at 566 Columbus Avenue, Boston, MA.

Present were: Conrad Agneta, Jim Davis, Dan DeSantis, Rita Gallo, Arthur Howe, Betsy Johnson, Beverly Van Landingham, Myra McAdoo, Fran Moore, Joe Park, Fernando Requena, Byron Rushing, Sam Yin.

Also present were: Weili Chin, Andrea d'Amato, Jim Kostaras, Josephine Thompson, Phil Zeigler (BRA); Andrew McClurg (Boston Transportation Department); Eleanor M. Strong (South End Garden Project); Girma Belay (Tenant Development Corporation); Lorraine Crump, Sheila Martin, Virginia Monroe, and Lillian Ott.

Phil Zeigler opened the meeting by welcoming the participants and reviewing the agenda items. He then asked for announcements and issues of concern.

The following brief announcements were made.

- The Langham Court ground breaking, March 19, 1990
- South End Garden Project community meeting, March 22, 1990

Phil indicated that staff work on preparation of an application for the Berkeley Street CARD (Commercial Area Revitalization District) was continuing and that there had been new interest expressed in securing approval from EOCD (the Executive Office of Communities and Development).

He said that a CARD designation offers some advantages in financing activities undertaken by non-profit organizations, and that certain types of commercial development can be eligible for tax-exempt bond financing.

Specific requests for the CARD have come from Community Builders, a non-profit community development corporation at 95 Berkeley. Although the structure has been completely rehabilitated, Community Builders is seeking permanent financing for the improvements which have been carried out with several construction loans.

Finally, he indicated that the BRA would be requesting another meeting with the Ellis Neighborhood Association to follow up on previous discussions which had been held with them.

Phil introduced Andrea d'Amato of the BRA who responded to several questions from members of the Working Group. It was indicated that anyone from the Group wishing to endorse the proposed CARD or make comments and suggestions, could direct these either to the BRA or to Community Builders.

Several members of the Working Group commented that the improvements carried out by Community Builders on the 95 Berkeley Street building were a significant contribution to the neighborhood.

Phil Zeigler then stated that presentation of the draft report on Urban Design recommendations will be made by Sam Yin and Jim Kostaras.

Sam reviewed the four major recommendations of the Urban Design sub-committee for the South End:

1. Future new development should not create super blocks, but rather, should respect the traditional South End grid pattern. In the early days of Urban Renewal, major projects were built which closed streets to vehicular and pedestrian circulation (i.e. IBA, Cathedral, Castle square, etc.) separating the areas from the rest of the neighborhood. To the extent possible, the street system should be restored within these projects.

2. Major focal points and view corridors should be protected and new ones created as appropriate.

3. Heights in sub areas are important in preserving the character of the South End. The sub committee is recommending new height limits in various areas, along major boulevards and along wide streets. The latter can handle higher heights.

4. New buildings should not be set back from the street line, but should preserve the historic character of the South End.

The Group had many positive comments and suggestions about the Urban Design Report. Jim Kostaras noted that these comments will be incorporated in the final Design Report.

The meeting adjourned at 9:00 p.m.

BOSTON
REDEVELOPMENT
AUTHORITY

Raymond L. Flynn
Mayor

Stephen Coyle
Director

One City Hall Square
Boston, MA 02201
(617) 722-4300

April 5, 1990

Mr. Jules Levine
President
Ellis Neighborhood Association, Inc.
P.O. Box 961
Back Bay Annex
Boston, MA 02117

Dear Mr. Levine:

As you may recall, BRA staff and representatives from Community Builders met with members of the Ellis Neighborhood Association last year to review proposals for the creation of a Berkeley Street CARD plan (Commercial Area Revitalization District). There remains considerable interest in establishing this CARD from Community Builders. A formal designation would offer significant financial advantages in securing permanent financing for the improvements which have been carried out by this non-profit organization. We feel that the improvements are an asset to the immediate neighborhood and we would like to continue to provide assistance in making this effort financially viable.

Based upon discussions with members of the Ellis Neighborhood Association and comments from the Executive Office of Communities and Development, the proposed CARD Application has been updated and revised. There have been minor modifications made to the CARD boundaries and portions of the text and tables have been updated based upon our recent field surveys. In addition, the comments contained in your letter of June 2, 1989 have been incorporated in the revised CARD application as appropriate. As you requested in your letter, we will be pleased to seek your input in any proposals to develop the vacant and underutilized parcels included within the CARD area.

Boston Redevelopment Authority is an Equal Opportunity/Affirmative Action Employer • Equal Housing Opportunity

The revised CARD Application has been reviewed with the South End Development Policy Working Group and we have asked for any suggestions or comments which individual members may have to offer. Similarly, if you or members of the Ellis Neighborhood Association have comments or questions, we would be pleased to respond.

Sincerely,

Philip Zeigler
Planning Director

cc: Thomas O'Malley, Assistant Director
Neighborhood Housing & Development
Rita Gallo, South End Working Group
Joseph Park, South End Working Group
Arthur Howe, South End Working Group

BOSTON REDEVELOPMENT AUTHORITY

MAY 10, 1990, BOARD OF DIRECTORS' MEETING

SCHEDULED FOR 2:00 P.M.

MINUTES/SCHEDULING

Minutes

1. Approval of the Minutes for the April 19, 1990 meeting. VOTED

Scheduling

2. Request authorization to schedule a Public Hearing on Thursday, May 31, 1990 at 2:00 p.m., regarding permanent zoning for the Leather District Special Study Area #9. VOTED

PUBLIC HEARINGS

3. Continuation of Public Hearing regarding a Development Impact Project Plan and Development Impact Project Agreement for Harvard Medical School's East Quadrangle Research Facility. VOTED

4. Public Hearing on the presentation of the New England Aquarium's proposal for development on Parcel 5 in the Navy Yard. TAKEN U ADVISEM

DEVELOPMENT

5. Presentation of responses to Request for Proposals for the South Station Air-Rights Development Project by Forest City Enterprises, Inc., and by Tufts University Development Corporation. TAKEN UN ADVISEME

6. Request authorization to execute Memorandum of Understanding regarding the St. Margaret's Hospital for Women Relocation Project, establishing conditions for said relocation. VOTED

HOUSING

Downtown

7. Request authorization to enter into a contract with the Boston Community Arts Corporation, in the amount of $30,280 to extend from February 1, 1990 to November 15, 1990, to provide administrative services for the Cultural District Task Force. **VOTED**

Government Center

8. Request authorization to issue a Certificate of Completion to Gunwyn/One Bowdoin Square Limited Partnership for the improvements at 15 New Chardon Street. **VOTED**

South End

9. Request authorization to amend the terms of the Loan Agreement with York Bay Development Corporation, in the amount of $187,000 for a period not to exceed five years; said loan to be repaid in three annual installments at the close of the syndication. **VOTED**

10. Request authorization to submit applications for appropriate local and state approvals, to create a Commercial Area Revitalization District (CARD) along a section of Berkeley Street in the South End. **VOTED**

11. Request authorization to execute documents necessary to transfer that portion of land on Parcel RD-60 and Parcel 30 between the deeded property line and the existing fence to the abutters who own property at numbers One through Five Haven Street; and further authorization to guarantee rights of passage to the Shawmut Avenue abutters of Parcel RC-9. **VOTED**

Waterfront

12. Request the tentative designation of the Gunwyn Company as redeveloper of the Pilot House Extension -- Disposition Parcel B-3(A) in the Downtown Waterfront-Faneuil Hall Urban Renewal Area. **TABLED**

BOARD APPROVED

MEMORANDUM **MAY 10, 1990**

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: THOMAS O'MALLEY, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD HOUSING & DEVELOPMENT
ANDREA d'AMATO, PROJECT MANAGER

SUBJECT: SOUTH END URBAN RENEWAL AREA, PROJECT NO. MASS. R-56, BERKELEY STREET COMMERCIAL AREA REVITALIZATION DISTRICT (CARD) PLAN

SUMMARY: THIS MEMORANDUM REQUESTS THAT THE DIRECTOR BE AUTHORIZED TO SUBMIT APPLICATIONS FOR APPROPRIATE LOCAL AND STATE APPROVALS TO CREATE A COMMERCIAL AREA REVITALIZATION DISTRICT (CARD) ALONG A SECTION OF BERKELEY STREET IN THE SOUTH END.

The Commercial Area Revitalization District (CARD) program is a mechanism provided by the Commonwealth whereby development incentives, heretofore available only to industrial enterprises, can be made available to commercial enterprises such as hotels, office buildings, retail stores, and certain non-profit institutions which are open to the general public for development.

Additionally, recent legislative action now permits the use of these development incentives for mixed residential and commercial projects.

The development incentives available through the CARD program include:

- tax-exempt industrial development bond financing through the Massachusetts Industrial Finance Agency (MIFA) (only available until September, 1990);
- eligibility to apply to the State's "Off-street Parking Program" which finances 75 percent of project costs for the development of new lots or expansion of old lots (the appropriate local municipal body has to apply);
- mortgage insurance on revenue bond and conventional financing (i.e. taxable bonds) through MIFA; and
- a tax credit and net income deduction on state corporate excise taxes for firms involved in the State Urban Job Incentive Program.

The Boston Redevelopment Authority (BRA) is responsible for the preparation and implementation of CARD plans in those areas of Boston designated as urban renewal areas. The area of the proposed Berkeley Street CARD (see "Attachment A") includes land that is included in the South End Urban Renewal Area, Project No. Mass. R-56. This area is also being studied by BRA planners and local residents as part of the BRA's South End Development Policy Planning Process.

The area included in the proposed Berkeley Street CARD includes a wide variety of retail, office, performing arts, and residential buildings, though it is predominantly a commercial area. This area is now undergoing significant physical, social, and economic change and is subject to the considerable development pressures from several commercial, residential and institutional projects adjacent to the Berkeley CARD area.

The availability of CARD-related development incentives will assist the developers of smaller commercial and performing arts projects, including the recently-completed non-profit office complex at 95 Berkeley Street, to obtain permanent financing at below-market interest rates. Given the pressing need for lower-cost office space for local non-profit groups, there has been significant community interest in supporting the project at 95 Berkeley Street, developed by The Community Builders (formerly the Greater Boston Community Development Corporation). The creation of a Berkeley Street CARD would further the goal.

The attached Berkeley Street CARD proposal has been presented to and reviewed by the Ellis Neighborhood Association and the 28-member South End Development Policy Plan "Working Group." The proposal has been favorably received by both groups.

An appropriate vote follows:

VOTED: That the Director be authorized to submit applications for appropriate local and state approvals to create a Commercial Area Revitalization District along the section of Berkeley Street in the South End as outlined in "Attachment A."

LEGAL NOTICE
NOTICE OF PUBLIC HEARING — BERKELEY STREET CARD

The Planning and Development Committee of the Boston City Council will hold a public hearing on Wednesday, May 30, 1990 at 2:00 p.m. to be held at: Boston City Hall, Piemonte Room, 5th floor City Hall to discuss the creation of a Berkeley Street Commercial Area Revitalization District (CARD). A plan for the redevelopment of the Berkeley Street CARD will be presented at the hearing. The approximate boundaries of the Berkeley Street CARD encompasses the area from Stanhope Street to Appleton Street including nearly all parcels which abut Berkeley Street between these two streets. Section 12 of Chapter 40D of the General Laws as amended (by Sections 1 and 10 of St. 1978 Chapter 495) authorizes the use of tax-exempt industrial revenue bond financing for "commercial enterprises" provided that any such enterprise is located in a district for which a Commercial Area Revitalization has been adopted by the City Council and approved by the Secretary of Communities and Development. A similar amendment to Chapter 23B makes approval of such a plan by the Secretary a precondition for the use of Urban Job Incentive Program Tax Credits by commercial facilities. In the future, the State Legislature may alter the availability of other incentives to CARD plan approvals.

May 21

CITY OF BOSTON

In City Council

WHEREAS, in accordance with Chapters 40D and 23D, Massachusetts General Laws, the Commonwealth of Massachusetts acting by and through the Secretary of Communities and Development may approve Commercial Area Revitalization Districts Plans (herein referred to as CARD Plans); and

WHEREAS, such approval is a precondition for the use of various state financial incentives for commercial development that would be in the public interest of the citizens of Boston; and

WHEREAS, the redevelopment of the Berkeley Street CARD, the boundaries of which are described on page 5, would result in physical redevelopment of said District and the creation of employment above-cited statues;

NOW, THEREFORE, BE IT ORDERED BY THE BOSTON CITY COUNCIL:

1. That the Berkeley Street CARD (herein referred to as the CARD) Commercial Area Revitalization District described above is a predominantly commercial geographic area; and

2. That implementation of the proposed CARD Plan will serve to avert and reverse the decay of the area covered by the plan will help deter the movement of commercial enterprises into a previously non-commercial area; and

3. That the Berkeley Street CARD Plan is hereby approved and tat said Plan shall be submitted to the Secretary of Communities and Development for approval.

In City Council
_____.

Approved by the
Mayor_____.

Attest:

_____
City Clerk

Date: _____

Secretary Amy Anthony
Executive Office of Communities
and Development
Saltonstall Building
100 Cambridge Street
Boston, MA 02201

Dear Secretary_____:

I am an attorney qualified to practice law in the Commonwealth of Massachusetts ad as the Corporation Counsel of the City of Boston, I am the Attorney for the City of Boston.

I have reviewed the document entitled "Application for Designation of the Berkeley Street CARD," certain notices of a public hearing held by the Boston City Council and a Resolution passed by the City Council and approved by the Mayor.

I find that the above CARD Plan and the approval of the Mayor and City Council as the local governing body of the City of Boston are in accordance with law.

Yours very truly,

_____
Corporation Counsel